

RESOLUTION GRANTING THIRD ROUND SUBSTANTIVE CERTIFICATION # 68-18

Union Township, Union County

WHEREAS, on March 17, 2010 Union Township (“Union” or “Township”) petitioned the Council on Affordable Housing (COAH) for third round substantive certification of a Housing Element and Fair Share Plan addressing its total 1987-2018 affordable housing obligation; and

WHEREAS, Union’s petition was deemed complete on April 21, 2010; and

WHEREAS, on April 26, 2010 Union published notice of its petition in the *Star Ledger*, which is a newspaper of general circulation within the county, pursuant to N.J.S.A. 52:27D-313 and N.J.A.C. 5:96-3.5; and

WHEREAS, no objections to the petition were received by COAH during the 45-day objection period, which ended June 10, 2010; and

WHEREAS, Union’s fair share plan addresses its rehabilitation share of 199 units, a 233-unit prior round obligation, and a 132-unit adjusted projected growth share obligation; and

WHEREAS, Union’s plan proposes to address its 199-unit rehabilitation share through 87 credits for units rehabilitated through the Union Township Housing Rehabilitation Program and through 112 units to be rehabilitated through the same program; and

WHEREAS, Union’s plan proposes to address its 233-unit prior round obligation with 231 prior cycle credits and two post-1986 credits; and

WHEREAS, Union’s plan proposes to address its 132-unit adjusted projected growth share obligation with 112 post-1986 credits, a five-unit accessory apartment program, a 13-unit market to affordable program, and two rental bonuses; and

WHEREAS, Union's plan proposes to address potential growth share opportunities through a municipal-wide inclusionary zoning requirement that is consistent with COAH's presumptive density and set-aside requirements at N.J.A.C. 5:97-6.4(b)2 and (b)6; and

WHEREAS, pursuant to N.J.A.C. 5:96-6.2(a)2, on August 24, 2010 COAH issued a Compliance Report (attached as Exhibit A and incorporated by reference herein) recommending approval of Union's petition for third round substantive certification; and

WHEREAS, there was a 14-day period to submit comments to the COAH Compliance Report pursuant to N.J.A.C. 5:96-6.2(b), during which time COAH received a letter dated September 7, 2010 from Adam Gordon, Esq. on behalf of Fair Share Housing Center ("FSHC"); and

WHEREAS, FSHC's letter comments on aspects of Union's plan to address potential growth share opportunities and is summarized and addressed in an Addendum to the Compliance Report dated September 7, 2010 (attached as Exhibit B and incorporated by reference herein) and requires no amendment to the Township's Compliance Report.

NOW THEREFORE BE IT RESOLVED that the Housing Element and Fair Share Plan submitted by Union comports with the standards set forth at N.J.S.A. 52:27D-314 and meets the criteria for third round substantive certification pursuant to N.J.A.C. 5:96-6.3; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.3(a), and after having reviewed and considered all of the above, COAH hereby grants third round substantive certification to Union; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.3(e), Union shall adopt all implementing Fair Share Ordinances within 45 days of the grant of substantive certification; and

BE IT FURTHER RESOLVED that if Union fails to timely adopt its Fair Share Ordinances, COAH's grant of substantive certification shall be void and of no force and effect; and

BE IT FURTHER RESOLVED that Union shall submit all Fair Share Ordinances to COAH upon adoption, which shall include the Affordable Housing Ordinance and the ordinance creating the position of municipal housing liaison; and

BE IT FURTHER RESOLVED that within 45 days of the grant of substantive certification, Union shall pass a resolution formally designating a municipal employee to the position of municipal housing liaison ; and

BE IT FURTHER RESOLVED that within 45 days of the grant of substantive certification, Union shall incorporate the inclusionary zoning requirements (as proposed in its Affordable Housing Ordinance) into the Township's land development regulations; and

BE IT FURTHER RESOLVED that within 45 days of the grant of substantive certification, Union shall submit to COAH an adopted resolution of intent to appropriate funds from the general revenue or bond in the event of a funding shortfall; and

BE IT FURTHER RESOLVED that within 45 days of the grant of substantive certification, Union shall adopt by resolution the COAH-approved Affirmative Marketing Plan; and

BE IT FURTHER RESOLVED that Union shall comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the Township's actual growth pursuant to N.J.A.C. 5:97-2.5; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-10.1, COAH shall conduct biennial plan evaluations upon substantive certification of Union's Housing Element and Fair Share Plan to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to

determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing; and

BE IT FURTHER RESOLVED that if upon any biennial review the difference between the number of affordable units constructed or provided in Union and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a prorated production shortage of 10 percent or greater or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, COAH may direct Union to amend its plan to address the shortfall; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:97-2.5(e), if the actual growth share obligation determined is less than the projected growth share obligation, Union shall continue to provide a realistic opportunity for affordable housing to address the projected growth share; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:96-6.3(b), Union's substantive certification shall remain in effect until December 31, 2018; and

BE IT FURTHER RESOLVED that any changes to the facts upon which this substantive certification is based or any deviations from the terms and conditions of this substantive certification which affect the ability of Union to provide for the realistic opportunity of its fair share of low and moderate income housing and which the Township fails to remedy, may render this certification null and void.

I hereby certify that this resolution was
duly adopted by the Council on Affordable
Housing at its public meeting on

A handwritten signature in cursive script, reading "Renée Reiss". The signature is written in black ink and is positioned above a horizontal line.

Renée Reiss, Secretary
Council

on

Affordable

Housing

Exhibit A



***Council on Affordable Housing
Compliance Report
August 24, 2010***



Municipality: Union Township
County: Union County

COAH Region: 2
Planning Area: 1
Special Resource Area: None

Housing Element and Fair Share Plan Adopted: 6/25/2009
Petition for 3rd Round Substantive Certification: 3/17/2010
Completeness Determination: 4/21/2010
Date of Publication: 4/26/2010

Objections Received: No

Petition Includes:
VLA: No
GPA: Yes
Waiver: No

Date of Site Visit: 6/18/2010

History of Approvals:

	COAH	JOC	N/A
First Round:	11/16/1987		
Second Round:	9/4/1996		
Extended Certification:	3/9/2005		

Plan Preparer: Richard Cramer, PP, A.I.C.P. – T&M Associates

Municipal Housing Liaison: Ronald Manzella – Township Administrator

SUMMARY OF FAIR SHARE OBLIGATION

Rehabilitation Share	199
Prior Round Obligation	233
Adjusted Projected Growth Share Obligation	132

ACTUAL GROWTH and GROWTH SHARE through September 30, 2008¹

Res Units	Actual Res Growth Share	Jobs	Actual Non-Res Growth Share	Actual TOTAL Growth Share
54	10.8 units	502	31.4 units	42 units

COMPLIANCE PLAN SUMMARY

Obligation	Credit/ Mechanism Type	Units Completed	Units Proposed	TOTAL
Rehabilitation: 199 units				
Credits	Post-April 1, 2000	87		
Programs	Municipal		112	
Rehabilitation Subtotal				199
NEW CONSTRUCTION				
Prior Round: 233 units				
Credits	Prior Cycle	231		231
	Post-1986	2		2
Prior Round Subtotal				233
Growth Share: 132 units (based on Growth Projection Adjustment)				
Credits	Post-1986	112		112
Proposed Mechanisms	Market to Affordable Program		13	13
	Accessory Apartment Program		5	5
Bonuses	Rental		2	2
Growth Share Subtotal				132

¹ This growth share number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.4; therefore, the actual growth share may vary.

I. HOUSING ELEMENT

Pursuant to N.J.S.A. 40:55D-28(b), the Housing Element is a required section of the Municipal Master Plan. The Housing Element must be designed to achieve the goal of access to affordable housing to meet existing and future housing needs, with special attention given to low- and moderate-income households. The housing needs analysis must include demographic information on existing and projected housing stock and employment characteristics, a quantification of low- and moderate-income housing need, and a consideration of the lands within the municipality that are most appropriate to accommodate such housing. Union's Housing Element includes sufficient information regarding housing stock, demographic and employment characteristics and population trends pursuant to N.J.S.A. 52:27D-310.

Under N.J.A.C. 5:97-2.1(b), the Housing Element must also set forth the municipality's affordable housing fair share obligation, which is the sum of the rehabilitation share, the prior round obligation and the growth share.

A. Rehabilitation Share

The rehabilitation share is the number of existing housing units within a municipality as of April 1, 2000, that are both deficient and occupied by households of low or moderate income. As indicated in Appendix B of N.J.A.C. 5:97, Union has a rehabilitation share of 199 units.

B. Prior Round Obligation

The prior round obligation is the cumulative 1987-1999 new construction obligation provided in Appendix C of N.J.A.C. 5:97. Union has a prior round obligation of 233 units.

C. Projected Growth Share

The projected growth share is initially calculated based on household (residential) and employment (non-residential) growth projections for 2004 through 2018. Pursuant to Appendix F of N.J.A.C. 5:97, Union has a residential growth projection of 1,522 units and a non-residential growth projection of 8,365 jobs, resulting in a projected growth

share obligation of 827 units. However, N.J.A.C. 5:97-5.6 permits municipalities to request an adjustment to the growth projections published by COAH. Growth projection adjustments are based on an analysis of municipal capacity to accommodate residential and non-residential growth through the development of vacant land. Environmental and logistical constraints are subtracted from each vacant parcel identified and any remaining, unconstrained, developable land is presumed to have the capacity to support development based on the densities and non-residential intensities of use outlined in N.J.A.C. 5:97-5.6(e). Sites used to address prior round affordable housing needs are also permitted to be excluded from this inventory to the extent that they produced affordable housing commensurate with COAH's prior round set-aside standards.

Union included the required Workbook C (attached as Appendix A) with its petition for certification. The Township's analysis resulted in a projected growth capacity of 184 residences and 1,525 jobs for the period 2004 through 2018.

Union Township's analysis did not subtract any exclusions for sites addressing the prior round obligation. Although minor discrepancies were noted between actual growth included in the Township's analysis and data obtained from the Division of Codes and Standards *Construction Reporter*, the impact of the discrepancy was insignificant.

Upon review of the municipal capacity analysis, COAH has determined that it satisfies the requirements of N.J.A.C. 5:97-5.6 and warrants an adjustment to the growth projection published by COAH. Therefore, Union's total projected growth share for the period 1999-2018 is 132 affordable units consisting of a 36.8-unit projected residential growth share and a 95.3-unit projected non-residential growth share.²

SUMMARY OF FAIR SHARE OBLIGATION

Rehabilitation Share	199
Prior Round Obligation	233
Adjusted Projected Growth Share Obligation (net)	132

² Pursuant to N.J.A.C. 5:97-2.2(d), Union's residential growth projection of 184 is divided by five to yield 36.8 units and the non-residential growth projection of 1,525 jobs is divided by 16 to yield 95.3 units. Union's total projected growth share is therefore 132 units (36.8 + 95.3).

II. FAIR SHARE PLAN

A Fair Share Plan, as required under N.J.A.C. 5:97-3.1, describes the completed or proposed mechanisms and funding sources, if applicable, that will be utilized to specifically address a municipality's rehabilitation share, prior round obligation, and growth share obligation and includes the draft ordinances necessary to implement that plan. Affordable housing must be provided in direct proportion to the growth share obligation generated by the actual growth.

Union's Fair Share Plan, and the supporting documentation incorporated by reference therein, address the requirements of N.J.A.C. 5:97-3.1 as follows:

A. Plan to Address Rehabilitation Share

Rehabilitation Share Credits

Union is requesting credit for 87 units rehabilitated through the Township's rehabilitation program subsequent to April 1, 2000. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

Rehabilitation Credits

Rehabilitation Program	Credits
Union Township Housing Rehabilitation Program	87
TOTAL	87

Proposed Rehabilitation Program

Union Township Housing Rehabilitation Program

Union will utilize its municipal Housing Rehabilitation Program to address 112 units of its rehabilitation obligation.

The Township's municipal rehabilitation program is available to both owner-occupied and rental units. Union will dedicate \$1,120,000 in affordable housing trust funds to finance the rehabilitation program with an average cost of \$10,000 per unit. This expenditure is included in Union's spending plan. Union anticipates that between 10 and 12 units per year will be rehabilitated during the period of third round substantive

certification. Union's municipal rehabilitation program funds repair and/or replacement of a major system and places ten-year affordability controls on rehabilitated units.

A draft resolution of intent to appropriate funds or bond in the event of a funding shortfall was provided with the Township's petition. An adopted resolution must be provided within 45 days of COAH's grant of substantive certification.

Union's rehabilitation program is administered internally by the Township's Community Development Agency, as indicated on the Administrative Agent Designation Form submitted by the Township. Union has provided COAH with a copy of the operating manual for its municipal rehabilitation program, as well as an affirmative marketing plan for the re-rental of rehabilitated units.

Proposed Rehabilitation Program

Rehabilitation Program	Units
Union Township Housing Rehabilitation Program	112
TOTAL	112

B. Plan to Address Prior Round Obligation

Prior Round Obligation Credits

Union is addressing its prior round obligation with 231 prior cycle credits and two post-1986 credits. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

Prior Cycle Credits

Project/Development Name	Year Built	Type of Affordable Unit	Units/ Bedrooms
Erhardt Gardens	1980	Age-restricted rental	231
TOTALS			231

Post-1986 Credits

Project/Development Name	Year Built or Approved	Type of Affordable Unit	Units/Bedrooms	Bonus Type	Bonuses	Total Units/Bedrooms + Bonuses
Newtown Village	1999	Age-restricted sale	2	-	0	2
TOTALS			2		0	2

Proposed Affordable Housing Mechanisms

Union Township is relying on credits and therefore is not proposing any additional affordable housing mechanisms to address its prior round obligation.

Prior Round Obligation Parameters

Union is relying entirely on credits included in a second round certified plan to address its prior round obligation. Pursuant to N.J.A.C. 5:97-4.1(c), COAH will honor the parameters established in the Township's second round compliance plan.

C. Plan to Address Projected Growth Share Obligation

Growth Share Obligation Credits

Union is addressing 114 units of its projected growth share obligation with 112 units of post-1986 credits and two rental bonuses. In accordance with N.J.A.C. 5:97-4.1(d), all credits will be verified and validated during monitoring subsequent to substantive certification pursuant to N.J.A.C. 5:96-11.

Post-1986 Credits

Project/Development Name	Year Built or Approved	Type of Affordable Unit	Units/Bedrooms	Bonus Type	Bonuses	Total Units/Bedrooms + Bonuses
Lenox Meadows	1994	Family sale	59	-	0	59
Newtown Village	1999	Age-restricted sale	2	-	0	2
Nora Gardens	1999	Age-restricted rental	31	-	0	31
Center for Family Support	2007	S/SN housing	4	Rental	1	5

Our House- Burnet Avenue	2000	S/SN housing	6	Rental	1	7
Our House- Troting Road	1995	S/SN housing	6	-	0	6
Federation of Multicultural Programs	1998	S/SN housing	4	-	0	4
TOTALS			112		2	114

Proposed Affordable Housing Mechanisms

Union proposes to address its remaining 18-unit adjusted projected growth share obligation through the following mechanisms:

Accessory Apartment Program

Union will utilize an accessory apartment program to address five units of its projected growth share obligation.

The Township has provided a draft accessory apartment ordinance that permits accessory apartments within Block 4001, Lots 3-6; Block 5806, Lots 31.01-39, Block 5807, Lots 43.01-56, Block 5807, Lots 89-98; and Block 5823, Lots 1-13. The accessory apartments created through the program will be family rentals and will be deed restricted to be made available to low- and moderate-income households for a minimum period of 10 years. The Township anticipates two accessory apartments per year being created from 2012 to 2013 and one accessory apartment being created in 2014.

As noted above, Union has identified specific areas of the Township in which accessory apartments would be suitable and likely to be created. Union provided a letter from the Township Engineer stating that the areas where accessory apartments will be permitted are presently served by public water and public sewer in adequate capacity to accommodate additional demand resulting from accessory apartments being created.

Union will dedicate a minimum of \$20,000 per moderate-income unit and \$25,000 per low-income unit to subsidize the creation of an accessory apartment. The Township anticipates expending a minimum of \$115,000 in affordable housing trust funds to support the program. The accessory apartment program is included in Union's spending plan, and the Township has provided a draft resolution of intent to appropriate

funds or bond in the event of a funding shortfall. An adopted resolution must be provided within 45 days of COAH's grant of substantive certification.

Union has designated Ronald Manzella as the administrative agent responsible for administering the program. Union has provided an affirmative marketing plan and an operating manual for the accessory apartment program. The units must be affirmatively marketed and have the proper affordability controls and rental pricing in accordance with N.J.A.C. 5:97-9 and UHAC. **[Five family rental units]**

Market to Affordable Program

Union will rely on a market to affordable program to address 13 units of its projected growth share obligation through 13 affordable family rental units.

The market to affordable program will be designed to be available for family rental units only. Units will be either purchased by the Township or subsidized through a written agreement with the property owner and rented to moderate-, low- and very-low income households. Nine of the units generated by the market to affordable program will be affordable to very-low income households. Union anticipates that between one and two units per year from 2010 to 2017 will be converted from market-rate units to units affordable to moderate-, low- or very-low income households.

The Township has demonstrated through the Multiple Listing Service data that there are adequate market-rate rental units within the municipality for conversion to affordable units. As of March 30, 2010, there were 64 units in the Township priced at or below \$250,000, averaging approximately \$187,000. The Township prepared a cost analysis that concludes that the program would become self-sustaining during its eighth year and would generate a surplus of \$1,029,980 over the course of 30 years. This surplus would be available to cover additional costs for renovations, maintenance, association fees, and administration. The market to affordable program is included in Union's spending plan, which allocates a minimum of \$360,000 in affordable housing trust funds to provide the financing to support the program. The Township will provide a minimum subsidy of \$25,000 per unit to subsidize moderate-income units and \$30,000 per unit to subsidize low-income units and will provide additional funds as needed to

subsidize the creation of very low-income units. The Township provided a draft resolution of intent to appropriate funds or bond in the event of a funding shortfall. An adopted resolution must be provided within 45 days of COAH's grant of substantive certification.

Union has designated Ronald Manzella as the administrative agent responsible for administering the program. Union has provided an affirmative marketing plan and an operating manual for the market to affordable program. The units must be certified to be in sound condition as a result of an inspection performed by a licensed building inspector, be affirmatively marketed, and have the proper affordability controls and rental pricing in accordance with N.J.A.C. 5:97-9 and UHAC. **[13 family rental units]**

Proposed Growth Share Affordable Housing Mechanisms

Type/Name of Affordable Housing Mechanism	Type of Affordable Unit	Units/Bedrooms	Bonus Type	Bonuses	Total Units/Bedrooms + Bonuses
Accessory Apartment Program	Family rental	5	-	0	5
Market to Affordable Program	Family rental	13	-	0	13
TOTALS		18		0	18

Potential Growth Share Opportunities

Pursuant to N.J.A.C. 5:97-5.7(a), a municipality that requests an adjustment to household and employment growth projections shall evaluate the existing municipal land use map and inventory for areas that may develop or redevelop to identify additional opportunities that may accommodate growth and corresponding affordable housing. In that regard, Union states the following in its Housing Element and Fair Share Plan:

Given that it is a fully developed municipality and the current economic climate, the Township anticipates that actual growth will not exceed the projected growth share. . . . However, to help ensure that the provision of affordable housing is commensurate with actual growth the Township will amend its development regulations to include a growth share requirement

for residential development, and impose a mandatory set-aside for affordable housing development in accordance with COAH's rules and regulations.

Union has included an inclusionary zoning section within its Affordable Housing Ordinance that requires that all residential development of four or more for sale units or five or more rental units shall be constructed as inclusionary development. For sale units are permitted at a presumptive minimum density of eight units per acre and a presumptive maximum affordable housing set-aside of 25% in zones permitting residential uses in the Township. Rental developments are permitted at a presumptive minimum density of 12 units per acres and a presumptive maximum set-aside of 20%. Maximum permitted densities range from 8.7 to 40 units per acre in these zones. These standards are consistent with COAH's regulations at N.J.A.C. 5:97-6.4(b)2 and (b)6. These inclusionary zoning provisions must also be incorporated into the Township's land development regulations.

Growth Share Parameters

Union has satisfied the applicable growth share parameters as follows:

Growth Share Rental Obligation³: 33 Units

Development/Project Name	Type of Affordable Unit	Units
Nora Gardens	Age-restricted rental	31
Center for Family Support	S/SN housing	4
Our House- Burnet Avenue	S/SN housing	6
Our House- Troting Road	S/SN housing	6
Federation of Multicultural Programs	S/SN housing	4
Accessory Apartment Program	Family rental	5
Market to Affordable Program	Family rental	13
TOTAL		69

³ Projected Growth Share Rental Obligation: .25(Projected Growth Share) or .25(132)= 33 units N.J.A.C. 5:97-3.10(b)3

Growth Share Family Rental Requirement⁴: 17 Units

Development/Project Name	Type of Affordable Unit	Units
Accessory Apartment Program	Family rental	5
Market to Affordable Program	Family rental	13
TOTAL		18

Growth Share Minimum Family Requirement⁵: 65 Units

Development/Project Name	Type of Affordable Unit	Units
Lenox Meadows	Family sale	59
Accessory Apartment Program	Family rental	5
Market to Affordable Program	Family rental	13
TOTAL		77

Very Low Income Minimum Requirement⁶: 17 Units

Development/Project Name	Type of Affordable Unit	Units
Center for Family Support	S/SN housing	4
Our House- Burnet Avenue	S/SN housing	6
Our House- Troting Road	S/SN housing	6
Federation of Multicultural Programs	S/SN housing	4
Market to Affordable Program	Family rental	9
TOTAL		29

Age-Restricted Maximum⁷: 33 Units

Development/Project Name	Type of Affordable Unit	Units
Newtown Village	Age-restricted sale	2
Nora Gardens	Age-restricted rental	31
TOTAL		33

⁴ Projected Growth Share Family Rental Requirement: .5(Projected Growth Share Rental Requirement) or .5(33)= 17 units N.J.A.C. 5:97-3.4(b)

⁵ Projected Growth Share Family Requirement: .5(Units Addressing the Growth Share Obligation) or .5(132-2)= 65 units N.J.A.C. 5:97-3.9

⁶ Growth Share Very Low Income Requirement: .13(Units Addressing the Growth Share Obligation) or .13(132-2)= 17 units pursuant to P.L.2008, c.46

⁷ Projected Growth Share Age Restricted Maximum: .25(Projected Growth Share) or .25(132)= 33 units N.J.A.C. 5:97-3.10(c)2

Bonus Maximum⁸: 33 Bonuses

Development/Project Name	Type of Bonus	Bonuses
Center for Family Support	Rental	1
Our House- Burnet Avenue	Rental	1
TOTAL		2

Actual Growth Share Obligation

The actual growth share obligation will be based on permanent certificates of occupancy issued within the municipality for market-rate residential units and newly constructed or expanded non-residential developments in accordance with Appendix D of N.J.A.C. 5:97. At plan evaluation review pursuant to N.J.A.C. 5:96-10, COAH will compare the actual growth share obligation with the actual number of affordable units constructed.

The New Jersey Department of Community Affairs (NJ DCA) *Construction Reporter* indicates that between January 1, 2004 and September 30, 2008 Union issued certificates of occupancy for 54 housing units and for the non-residential square footage equivalent of 502 jobs, yielding an actual growth share obligation through September 30, 2008 of 42 affordable units.⁹

D. Summary of Plan to Address Fair Share Obligation

REHABILITATION SHARE SUMMARY

Rehabilitation Share: 199 Units

Program Name	Credits	Proposed
Union Township Housing Rehabilitation Program	87	112
TOTAL		199

⁸ Projected Bonus Maximum: $.25(\text{Projected Growth Share})$ or $.25(132)= 33$ bonuses N.J.A.C. 5:97-3.20

⁹ The number of residential COs (54) is initially divided by 5 to yield 10.8 units and the number of jobs (502) is initially divided by 16 to yield 31.4 units. Union's total actual growth share is therefore 42 units (10.8 + 31.4). **Note:** This number does not take into account allowable exclusions permitted under N.J.A.C. 5:97-2.4; therefore, the actual growth share may vary.

PRIOR ROUND SUMMARY
Prior Round Obligation: 233 Units

	Name of Mechanism	Units/Bedrooms	Bonus Type	Bonuses	Total Units/Bedrooms + Bonuses
Prior Cycle Credits	Erhardt Gardens	231	-	0	231
Post-1986 Credits	Newtown Village	2	-	0	2
Subtotal		233		0	
TOTAL					233

GROWTH SHARE SUMMARY
Adjusted Growth Share Obligation: 132 Units

	Name of Mechanism	Units/Bedrooms	Bonus Type	Bonuses	Total Units/Bedrooms + Bonuses
Post-1986 Credits	Lenox Meadows	59	-	0	59
	Newtown Village	2	-	0	2
	Nora Gardens	31	-	0	31
	Center for Family Support	4	Rental	1	5
	Our House- Burnet Avenue	6	Rental	1	7
	Our House- Troting Road	6	-	0	6
	Federation of Multicultural Programs	4	-	0	4
Proposed Mechanisms	Accessory Apartment Program	5	-	0	5
	Market to Affordable Program	13	-	0	13
Subtotal		130		2	
TOTAL					132

III. FAIR SHARE DOCUMENT REVIEW

A. Development Fee Ordinance

Union submitted a draft development fee ordinance for COAH's review and approval with its third round petition. This development fee ordinance was approved by COAH on May 12, 2010.

B. Third Round Spending Plan

A third round spending plan was submitted by Union with the Township's third round petition for COAH's review and approval. The spending plan will be reviewed by COAH in a separate report.

C. Affordable Housing Ordinance/Affordable Housing Administration

Union has submitted a draft affordable housing ordinance that comports with the requirements of the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq., which was amended on December 20, 2004. The draft proposed ordinance complies with the Barrier Free Subcode of the State Uniform Construction Code Act (N.J.S.A. 52:27D-119 et seq.) and the accessibility requirements of N.J.S.A. 52:27D-123.15. The draft ordinance must be adopted within 45 days of COAH's grant of substantive certification and submitted to COAH immediately upon adoption.

The Township submitted a draft ordinance establishing the position of a municipal housing liaison. The draft ordinance must be adopted within 45 days of COAH's grant of substantive certification and submitted to COAH immediately upon adoption. Additionally, within the same time frame, the Township must pass a resolution formally designating a municipal employee to the position of municipal housing liaison.

Union is responsible for the continued re-sale and re-rental of existing affordable units and the initial sale and rental of newly constructed affordable units within the Township and has identified Ronald Manzella as its administrative agent. Union has submitted a written operating manual for administering affordable units within the Township.

D. Affirmative Marketing Plan

Union has submitted an affirmative marketing plan that comports with the requirements of the UHAC and ensures the units in the Township's 1987-2018 Fair Share Plan and all future affordable housing units will be affirmatively marketed to the region upon initial sale/rental and re-sale/re-rental. Once approved by COAH, the affirmative marketing plan must be adopted by resolution by the Township within 45 days of COAH's grant of substantive certification and submitted to COAH.

IV. MONITORING

Union must comply with COAH monitoring requirements as set forth in N.J.A.C. 5:96-11, including reporting the municipality's actual growth pursuant to N.J.A.C. 5:97-2.5. As indicated above, credits for built units will be validated and verified by COAH staff during monitoring prior to the first biennial plan evaluation. It should be noted that credits for affordable housing programs and/or affordable units must be in compliance with N.J.A.C. 5:97-4. If the units are determined not to be eligible for credit, COAH will notify Union in writing and the Township may be directed to amend its certified plan to address the shortfall.

Pursuant to N.J.A.C. 5:96-10.1, COAH will conduct biennial plan evaluations upon substantive certification of Union's Housing Element and Fair Share Plan. The purpose of the plan evaluation is to verify that the construction or provision of affordable housing has been in proportion to the actual residential growth and employment growth in the municipality and to determine that the mechanisms addressing the projected growth share obligation continue to present a realistic opportunity for the creation of affordable housing. If upon any biennial review the difference between the number of affordable units constructed or provided in Union and the number of units required pursuant to N.J.A.C. 5:97-2.5 results in a prorated production shortage of 10 percent or greater or the mechanisms addressing the projected growth share obligation no longer present a realistic opportunity for the creation of affordable housing, the Council may direct the municipality to amend its plan to address the shortfall.

V. RECOMMENDATION

COAH staff recommends that Union be granted third round substantive certification. Union must adopt all necessary implementing ordinances within 45 days of the grant of substantive certification and submit certified copies of the adopted ordinances to COAH within seven days of the adoption. Specifically, Union must:

- 1) Provide an adopted resolution of intent to appropriate funds from the general revenue or bond in the event of a funding shortfall;
- 2) Adopt the Affordable Housing Ordinance;
- 3) Adopt by resolution the COAH-approved affirmative marketing plan;
- 4) Adopt its draft ordinance creating the position of municipal housing liaison within 45 days of COAH's grant of substantive certification and submitted to COAH immediately upon adoption;
- 5) Pass a resolution formally designating a municipal employee to the position of municipal housing liaison; and
- 6) Incorporate the inclusionary zoning requirements (as proposed in the Affordable Housing Ordinance) into the Township's land development regulations.

APPENDIX A

Summary of Adjusted Growth Share Projection Based On Land Capacity **(Introduction to Workbook C)**

Municipality Name: **Union Township (Union Co.)**

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. The Worksheet is a tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the projected Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.

[Click Here to complete Worksheet A](#)

Municipalities seeking to request a downward adjustment to the COAH-generated growth projections may do so by providing a detailed analysis of municipal land capacity. After completing this analysis, the growth projections may be lowered if the resulting growth share obligation results in a figure that is at least 10 percent lower than the projected Growth Share Obligation that would result from the COAH-generated growth projections. Actual growth must first be determined using the Actual Growth worksheet. A growth projection adjustment may only apply to any remaining growth.

[Click Here to Enter Actual Growth to Date](#)

[Click Here to Complete the Residential Parcel Inventory and Capacity Analysis](#)

[Click Here to Complete the Non-residential Parcel Inventory and Capacity Analysis](#)

Summary Of Worksheet Comparison

	COAH Projected Growth Share (From Worksheet A)	Growth Share Based on Municipal Capacity (From Worksheet C)
Residential Growth	1,522	184
Residential Exclusions	0	0
Net Residential Growth	1,522	184
Residential Growth Share	304.40	36.81
Non-Residential Growth	8,365	1,525
Non-Residential Exclusions	0	0
Net Non- Residential Growth	8,365	1,525
Non-Residential Growth Share	522.81	95.29
Total Growth Share	827	132

The Municipal land capacity analysis results in a reduction to the COAH-generated growth projection. Please file Workbook C and use a Residential Growth Share of 36.81 plus a Non-residential Growth Share of 95.29 for a total Growth Share Obligation of 132 affordable units

Worksheet A: Growth Share Determination Using Published Data
 (Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name: Union Township (Union Co.)

Enter the COAH generated growth projections form Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2)*	1,522	8,365
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	1,522	8,365
5 Projected Growth Share (Conversion to Affordable Units Divide HH by 5 and Jobs by 16)	304.40 Affordable Units	522.81 Affordable Units
6 Total Projected Growth Share Obligation		827 Affordable Units

[Click Here to return to Workbook C Summary](#)

* For Residential Growth, See Appendix F(2), Figure A.1, Housing Units by Municipality. For Non-residential Growth, See Appendix F(2), Figure A.2, Employment by Municipality

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: Union Township (Union Co.)

Prior Round Affordable Units NOT included in Inclusionary Developments Built Post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	0

Market and Affordable Units in Prior Round Inclusionary Development Built post 1/1/04

N.J.A.C. 5:97-2.4(a)

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
Total		0	0	0	0

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development

N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	0	0

[When finished, click here to return to Worksheet A](#)

Growth Projection Adjustment - Actual Growth

Municipality Name: Union Township (Union Co.)

Actual Growth 01/01/04 to Present					
Residential COs Issued	54				
		Square Feet Added (COs Issued)	Square Feet Lost Demolition Permits Issued)	Jobs/1,000 SF	Total Jobs
Non-residential CO's by Use Group					
B		162,532	24,425	2.8	386.70
M		91,264	35,421	1.7	94.93
F		0	0	1.2	0.00
S		7,600	80,790	1.0	-73.19
H		0	0	1.6	0.00
A1		1,467	0	1.6	2.35
A2		5,051	0	3.2	16.16
A3		11,200	12,000	1.6	-1.28
A4		0	0	3.4	0.00
A5		0	0	2.6	0.00
E		52,155	0	0.0	0.00
I		0	0	2.6	0.00
R1		0	0	1.7	0.00
Total		331,269	152,636		426

[Return to Growth Projection Adjustment Summary Screen](#)

[Proceed to Inventory of Vacant Residential Land](#)

[Proceed to Inventory of Non-residential Land](#)

Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
4906	19	1333 GLENDALE PL	MILLER, JEFFREY	1	N	Y		0.4281	0.0000		0.43	8.00	3.43
1103	2	628 SALEM RD	LEDDY, THOMAS P & BERNICE	1	N	Y		0.1387	0.0000		0.14	8.00	1.11
1103	3	624 SALEM RD	OZOL, IDA H	1	N	Y		0.1477	0.0000		0.15	8.00	1.18
1201	1	COLONIAL AVE	SUBURBAN GOLF CLUB	1	N	Y		0.3786	0.0000		0.38	8.00	3.03
1201	18.01	FAIRFIELD WAY	MENK, MARYANNE - TRUSTEE	1	N	Y		0.4122	0.0000		0.41	8.00	3.30
1204	12.01	351 PRINCETON RD-REAR	SIMPSON, ROSE M	1	N	Y		0.2141	0.0000		0.21	8.00	1.71
1605	43	1506 UNION COUNTY PKWY	PARK DRIVE, LLC	1	N	Y		0.1586	0.0000		0.16	8.00	1.27
1605	44	UNION COUNTY PKWY	MONTALBINE, DIANE-MONTALBINE	1	N	Y		0.1511	0.0000		0.15	8.00	1.21
1605	45	BROOKSIDE DR	PARK DRIVE, LLC	1	N	Y		0.2244	0.0000		0.22	8.00	1.80
1704	110	REEVES TERR	TOWNSHIP OF UNION	1	N	Y		0.4751	0.4751	STEEP SLOPE; WETLAND AND/OR	0.00	8.00	0.00
2502	29.01	297 COLONIAL AVE	LEO, ROBERT - LEO, DOROTHY	1	N	Y		0.1661	0.0000		0.17	8.00	1.33
2502	29.02	295 COLONIAL AVE	LEO, ROBERT - LEO, DOROTHY	1	N	Y		0.1493	0.0000		0.15	8.00	1.19
2908	4	GRANDVIEW AVE	TOWNSHIP OF UNION	1	N	Y		0.5585	0.0000		0.56	8.00	4.47
301	27	413 BASKERVILLE AVE	BASKERSVILLE AVE ASSOC, L	1	N	Y		0.1346	0.0000		0.13	8.00	1.08
301	29.01	404 SHEARER AVE	MAS CONSTRUCTION, LLC	1	N	Y		0.1805	0.0000		0.18	8.00	1.44
301	29.02	408 SHEARER AVE	MAS CONSTRUCTION, LLC	1	N	Y		0.1370	0.0000		0.14	8.00	1.10
307	3	WOODLAND AVE	TOWNSHIP OF UNION	1	N	Y		0.1445	0.0126	WETLAND AND/OR FLOODPLAIN (F	0.13	8.00	1.06
3806	26	SPRUCE ST	BASHFORD, DAVID S	1	N	Y		0.1871	0.0000		0.19	8.00	1.50
3809	10	OGDEN RD	MOMS, L L C	1	N	Y		0.1524	0.0000		0.15	8.00	1.22
405	17	SCHAEFFER LA	SHERWOOD GROUP ASSOCIATES	1	N	Y		0.2504	0.0000		0.25	8.00	2.00

[Click Here to Return to Workbook C Summary](#)

[Click Here to Proceed to Non-residential Parcel Inventory and Capacity Analysis](#)

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Subtotal This Page 34.41

Subtotal Page 2 37.80

Subtotal Page 3 57.86

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Grand Total 130.07

* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 2

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
405	18	MAGIE & SCHAEFFERS	SHERWOOD GROUP ASSC	1	N	Y		0.30	0.00		0.30	8.00	2.42
405	19	486 MAGIE AVE	SEGAL, CAROL	1	N	Y		0.518583	0.00		0.52	8.00	4.15
4109	2	907 CALDWELL AVE	GIAIMO, CHARLES V	1	N	Y		0.180468	0.00		0.18	8.00	1.44
4413	11.01	2511 LINN AVE	CARVALHO, MANUELA	1	N	Y		0.153492	0.00		0.15	8.00	1.23
4706	8	SPRINGFIELD AVE	UNION #3, L L C	1	N	Y		0.323177	0.00		0.32	8.00	2.59
4801	20.01	811 VALLEY ST	REICHARDT, GERARD & F	1	N	Y		0.464883	0.22	WETLAND AND/OR FLOODPLAIN (N	0.25	8.00	1.99
4801	20.02	809 VALLEY ST	GLADSON, JAMES P	1	N	Y		0.471978	0.19	WETLAND AND/OR FLOODPLAIN (N	0.28	8.00	2.22
4803	1	SPRINGFIELD AVE	TOWNSHIP OF UNION	1	N	Y		0.234086	0.00		0.23	8.00	1.87
4811	41	MAPLE AVE	TOWNSHIP OF UNION	1	N	Y		0.148083	0.00		0.15	8.00	1.18
5107	15	BALMORAL AVE-REAR	TOWNSHIP OF UNION	1	N	Y		0.289312	0.00		0.29	8.00	2.31
5403	37	WILLIAM ST	AUTORINO, RALPH J JR	1	N	Y		0.290867	0.00		0.29	8.00	2.33
5602	1	COPPER HILL DR	GALLINI, S- GALLINI, E ET	1	N	Y		0.197961	0.00		0.20	8.00	1.58
5704	12	VAUXHALL RD-REAR	HORTON, H & M & HORTO	1	N	Y		0.184233	0.00		0.18	8.00	1.47
5706	15	OSWALD PL	TOWNSHIP OF UNION	1	N	Y		0.149151	0.00		0.15	8.00	1.19
5709	2	CARNEGIE PL & BURKL	TOWNSHIP OF UNION	1	N	Y		0.180614	0.00		0.18	8.00	1.44
5710	1	AUGUSTINE PL	TOWNSHIP OF UNION	1	N	Y		0.131675	0.00		0.13	8.00	1.05
5806	41	CONCORD AVE - END	TOWNSHIP OF UNION	1	N	Y		0.26382	0.00		0.26	8.00	2.11
5817	14	221 CATHERINE ST	TISDALE, ALFRED ALMA	1	N	Y		0.191726	0.00		0.19	8.00	1.53
5817	17.17	BURKLEY PL	TOWNSHIP OF UNION	1	N	Y		0.21283	0.00		0.21	8.00	1.70
5819	14.05	HUNT AVE	TOWNSHIP OF UNION	1	N	Y		0.245857	0.00		0.25	8.00	1.97
											Total Page 2		37.80

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Union Township (Union Co.) Growth Projection Adjustment - Residential Parcel Inventory Page 3

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
601	45.01	COLONIAL ARMS RD-REA	TOWNSHIP OF UNION	1	N	Y		0.3798	0.0000		0.38	8.00	3.04
707	54	JENSEN LA	DE FLURI, ANGELA M	1	N	Y		0.7781	0.0000		0.78	8.00	6.23
707	55.01	460 LEHIGH AVE	LOMBARDI,PASQUALE - P	1	N	Y		0.1412	0.0000		0.14	8.00	1.13
803	16	SUMNER AVE	TOWNSHIP OF UNION	1	N	Y		5.2826	0.0000		5.28	8.00	42.26
4703	28	15 WEST LINE AVE	GGG BUILDING ASSOCIAT	1	N	Y		0.2384	0.0000		0.24	8.00	1.91
3617	37	SPRUCE ST-REAR	TOWNSHIP OF UNION	1	N	Y		0.4416	0.0296	WETLAND AND/OR FLOODPLAIN (NO	0.41	8.00	3.30
											Total Page 3		57.86

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[Residential Inventory Main Page](#)

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Union Township (Union Co.) Growth Projection Adjustment - Non-Residential Parcel Inventory

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density *	Total Acreage	Constrained Acreage	Constraint Description	Remaining Buildable Acreage	Density (Jobs/Ac)	Capacity (Jobs)
101	4.0201	1011 MORRIS AVE-RE/	SCHERING-PLOUGH R/E-TA	1	N	Y		8.53	2.51	WETLAND AND/OR FLOODPLAIN	6.03	80.00	482.27
105	14	1070 MORRIS AVE	TKV UNION STATION URBAN	1	N	Y		3.55	0.00		3.55	80.00	283.98
2505	5	CHESTNUT ST	BREEN, CHARLES ALLAN	1	N	Y		0.17	0.00		0.17	80.00	13.87
2917	3	978 ROSEMONT AVE	FOTINOS ENTERPRISES %	1	N	Y		0.14	0.00		0.14	80.00	11.24
3205	1	ROUTE 22,CENTER	TOWNSHIP OF UNION	1	N	Y		0.01	0.00		0.01	80.00	1.15
3405	3	ROUTE 22,CENTER	OUTDOOR SYSTEMS, INC	1	N	Y		0.03	0.00		0.03	80.00	2.15
3405	6	ROUTE 22,CENTER	OUTDOOR SYSTEMS, INC	1	N	Y		0.05	0.00		0.05	80.00	4.12
3405	7	ROUTE 22,CENTER	TOWNSHIP OF UNION	1	N	Y		0.11	0.00		0.11	80.00	8.63
3913	30	RAHWAY AVE	TOWNSHIP OF UNION	1	N	Y		0.02	0.00		0.02	80.00	1.78
4003	10	2145 ROUTE 22,WEST	R & D REALTIES, LLC	1	N	Y		0.51	0.00		0.51	80.00	41.13
405	16	PATRICIA CT	TOWNSHIP OF UNION	1	N	Y		0.01	0.00		0.01	80.00	1.01
4115	1	ELMWOOD & MORRIS	TOWNSHIP OF UNION	1	N	Y		0.01	0.01	WETLAND AND/OR FLOODPLAIN	0.00	80.00	0.00
4305	30.01	2237 MORRIS AVE	2237-2243 MORRIS AVE AS	1	N	Y		0.16	0.00		0.16	80.00	12.65
4305	31.01	2241 MORRIS AVE	2237-2243 MORRIS AVE AS	1	N	Y		0.16	0.00		0.16	80.00	12.72
4305	33.01	MORRIS AVE	TOWNSHIP OF UNION	1	N	Y		0.04	0.04	NOT BUILDABLE PER TOWNSHIP	0.00	80.00	0.00
4305	34	2243 MORRIS AVE	2237-2243 MORRIS AVE AS	1	N	Y		0.11	0.00		0.11	80.00	8.69
4305	45	1057 COMMERCE AVE	COMMERCE AVENUE REAL	1	N	Y		0.72	0.00		0.72	80.00	57.49
4501	1	MORRIS AVE	PAOLELLA, PAUL ANTHONY	1	N	Y		0.19	0.00		0.19	80.00	14.98
4501	3	MORRIS AVE	PAOLELLA, PAUL ANTHONY	1	N	Y		0.18	0.00		0.18	80.00	14.45
4815	23.01	2124 SPRINGFIELD AV	2124 SPRINGFIELD AVE AS	1	N	Y		0.25	0.00		0.25	80.00	19.90
4816	1.01	SPRINGFIELD AVE	M C UNION, LLC%R D MAN	1	N	Y		0.19	0.00		0.19	80.00	15.54
4914	32	SPRINGFIELD AVE	PERRE, LEONARD% CRES	1	N	Y		0.07	0.00		0.07	80.00	5.89

[Click Here to Return to Workbook C Summary](#)

[Click Here to Proceed to Residential Parcel Inventory and Capacity Analysis](#)

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Subtotal This Page	1,013.64
Subtotal Page 2	85.38
Subtotal Page 3	
Subtotal Page 4	
Grand Total	1,099.01

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Union Township (Union Co.) Growth Projection Adjustment - Non-Residential Parcel Inventory - Page 2

Block	Lot	Address	Owner	SDR Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density *	Total Acreage	Constrained Acreage	Constraint Description	Remaining Buildable Acreage	Density (Jobs/Ac)	Capacity (Jobs)
5001	49	BURNET AVE-REAR	TOWNSHIP OF UNION	1	N	Y		0.47	0.24	WETLAND AND/OR FLOODPLAIN (I	0.23	80.00	18.47
5404	2	STANLEY & PLEASANT	TOWNSHIP OF UNION	1	N	Y		0.19	0.00		0.19	80.00	14.86
5406	11	PLEASANT & EDISON	TOWNSHIP OF UNION	1	N	Y		0.07	0.00		0.07	80.00	5.60
5408	12	OSTWOOD TERR	TOWNSHIP OF UNION	1	N	Y		0.04	0.04	WETLAND AND/OR FLOODPLAIN (I	0.00	80.00	0.00
904	7	390 TUCKER AVE	POWER TEST REALTY CO	1	N	Y		0.23	0.00		0.23	80.00	18.06
105	18	GREEN LANE	TOWNSHIP OF UNION	1	N	Y		0.95	0.60	WETLAND AND/OR FLOODPLAIN (I	0.35	80.00	28.38
Subtotal This Page													85.38

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[Non-Residential Main Page](#)

* Note: Hyperlink to GIS files requires GIS software. Files must be downloaded first and then opened in a GIS Viewer.

Exhibit B

**COAH ADDENDUM IN RESPONSE TO COMMENTS
RECEIVED REGARDING COMPLIANCE REPORT
UNION TOWNSHIP / UNION COUNTY
REGION #2
September 7, 2010**

During the 14-day comment period to Union Township's Compliance Report, a letter was received from Adam Gordon, Esq. on behalf of Fair Share Housing Center (FSHC). After reviewing FSHC's comments, COAH staff have determined that, based upon the zoning for the areas in question, no amendment of the Township's Compliance Report is required.

Fair Share Housing Center Comments

On September 7, 2010, COAH received a letter from Adam Gordon, Esq. on behalf FSHC, reviewing and commenting on Union's COAH Compliance Report.

FSHC's letter comments on Union's proposed inclusionary zoning to address potential growth share opportunities in the municipality, pursuant to N.J.A.C. 5:97-5.7.

FSHC's letter suggests that certain portions of the municipality, specifically the areas encompassed by the proposed Gateway North redevelopment plan and by the Union Station zone, are areas that may accommodate growth and corresponding affordable housing.

COAH's Response

To address potential growth share opportunities Union has included an inclusionary zoning section in its Affordable Housing Ordinance that requires that in any zone within the Township that permits the minimum presumptive densities found at N.J.A.C. 5:97-6.4, all residential development of four or more for sale units or five or more rental units shall be constructed as an inclusionary development with affordable housing set-asides consistent with N.J.A.C. 5:97-6.4.

Regarding the areas encompassed by the Union Station zone, the Township's Affordable Housing Ordinance requires a 25% affordable housing set-aside for for sale developments in this zone and requires a 20% affordable housing set-aside for rental

developments in this zone. Therefore, the Union Station zone does provide for future affordable housing should development occur.

It should be noted that the proposed Gateway North redevelopment plan is not included in the Township's adopted Housing Element and Fair Share Plan submitted to COAH for third round substantive certification. Township representatives have indicated that the Gateway North redevelopment plan has been invalidated by the Court. In response, for the areas that had been identified as Gateway North, the Township adopted mixed-use zoning which permits residential uses, subject to the Township's inclusionary zoning ordinance.

COAH's Compliance Report notes that within 45 days of the grant of substantive certification Union must adopt its Affordable Housing Ordinance and incorporate the inclusionary zoning requirements found in this ordinance into the Township's land development regulations.

FSHC's comment is incorporated in the resolution granting Union third round substantive certification.